

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SCOTT R. WOLFE,

Plaintiff,

v.

Case No.: 16-cv-13620  
Honorable Gershwin A. Drain

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

**ORDER ACCEPTING AND ADOPTING REPORT AND  
RECOMMENDATION [#19], DENYING PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT [#13], GRANTING DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT [#18] AND DISMISSING ACTION**

This matter is before the court on the parties' Cross-Motions for Summary Judgment as to Plaintiff Scott R. Wolfe's claim for judicial review of Defendant Commissioner of Social Security's denial of his application for disability insurance benefits and supplemental security income. The matter was referred to Magistrate Judge R. Steven Whalen, who issued a Report and Recommendation on November 26, 2017, recommending that the Court deny Plaintiff's Motion for Summary Judgment and grant Defendant's Motion for Summary Judgment.

Neither party has filed objections to the Magistrate Judge's Report and Recommendation, and the time for filing objections has expired. *See* 28 U.S.C. § 636(b)(1)(C).

Upon review of the parties' briefing and the Magistrate Judge's Report and Recommendation, the Court concludes that the Magistrate Judge reached the correct conclusion. Therefore, the Court hereby ACCEPTS and ADOPTS Magistrate Judge Whalen's November 26, 2017 Report and Recommendation [#19] as this Court's findings of fact and conclusions of law. Plaintiff's Motion for Summary Judgment [#13] is DENIED. Defendant's Motion for Summary Judgment [#18] is GRANTED.

This cause of action is dismissed.

SO ORDERED.

Dated: December 28, 2017

/s/Gershwin A. Drain  
GERSHWIN A. DRAIN  
United States District Judge

#### CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on December 28, 2017, by electronic and/or ordinary mail.

/s/ Teresa McGovern for Tanya Bankston  
Case Manager